General Assembly

Distr.: General
1 March 2001

Fifty-fifth session
Agenda item 114 (*b*)

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/55/602/Add.2 and Corr.1)]

55/99. Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights[1] fifty-two years ago, Member States pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that the rule of law is an essential factor in the protection of human rights, as stressed in the Declaration, and should continue to attract the attention of the international community,

Convinced that, through their own national legal and judicial systems, States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Office of the United Nations High Commissioner for Human Rights in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, inter alia, providing advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, that a comprehensive programme should be established within the United Nations with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,[2]

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[1] Resolution 217 A (III).
[2] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

Recalling also its resolution 53/142 of 9 December 1998 and Commission on Human Rights resolution 1999/74 of 28 April 1999,[3]

1. *Welcomes* the report of the Secretary-General;[4]

2. *Notes with appreciation* the increasing number of Member States seeking assistance in strengthening and consolidating the rule of law and the support provided to these States through the technical cooperation programme of the Office of the United Nations High Commissioner for Human Rights, as outlined in the above-mentioned report of the Secretary-General;

3. *Praises* the efforts made by the Office of the High Commissioner to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

4. *Expresses its deep concern* at the scarcity of means at the disposal of the Office of the High Commissioner for the fulfilment of its tasks;

5. *Notes with concern* that the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights does not have sufficient funds to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but are lacking the necessary means and resources;

6. *Welcomes* the deepening of the ongoing cooperation between the Office of the High Commissioner and other relevant bodies and programmes of the United Nations system, with a view to enhancing system-wide coordination of assistance in human rights, democracy and the rule of law, and in this context notes the cooperation between the United Nations Development Programme and the Office of the High Commissioner in providing technical assistance, at the request of States, in the promotion of the rule of law;

7. *Affirms* that the Office of the High Commissioner remains the focal point for coordinating system-wide attention for human rights, democracy and the rule of law;

8. *Encourages* the United Nations High Commissioner for Human Rights to continue the dialogue between her Office and other organs and agencies of the United Nations system, taking into account the need to explore new synergies with a view to obtaining increased financial assistance for human rights and the rule of law and to promoting inter-agency coordination, funding and allocation of responsibilities in order to improve efficiency and complementarity of action concerning, inter alia, assistance to States in strengthening the rule of law;

9. *Also encourages* the High Commissioner to continue to explore the possibility of further contact with and support from the international financial institutions, acting within their mandates, with a view to obtaining the technical and financial means to strengthen the capacity of the Office of the High Commissioner to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

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[3] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[4] A/55/177.

10. *Requests* the High Commissioner to continue to accord high priority to the technical cooperation activities undertaken by her Office with regard to the rule of law and to continue to act as a catalyst in the system by, inter alia, helping other United Nations agencies and programmes, within their respective mandates, to include in their work, as appropriate, attention to institution-building in the area of the rule of law;

11. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-seventh session on the implementation of the present resolution and the above-mentioned recommendation of the World Conference on Human Rights.

81st plenary meeting
4 December 2000

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Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/55/602/Add.2 and Corr.1)*]

55/100. Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[1] as well as article 12 of the International Covenant on Civil and Political Rights,[2]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[3] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Recalling its resolution 54/169 of 17 December 1999,

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

individuals or groups of legal migrants by adversely affecting family reunification and the right to send financial remittance to relatives in the country of origin;

5. *Decides* to continue its consideration of this question at its fifty-seventh session under the item entitled "Human rights questions".

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Fifty-fifth session
Agenda item 114 (*b*)

Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/55/602/Add.2 and Corr.1)*]

55/101. Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character

The General Assembly,

Recalling that, in accordance with Article 56 of the Charter of the United Nations, all Member States have pledged themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55, including universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that the promotion and protection of all human rights and fundamental freedoms must be considered a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation, and that, in the framework of these purposes and principles, the promotion and protection of all human rights are a legitimate concern of the international community,

Considering the major changes taking place on the international scene and the aspirations of all peoples to an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world, as well as continue to pay attention to the

importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights,

Reaffirming that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations and that human rights and fundamental freedoms are the birthright of all human beings, the protection and promotion of such rights and freedoms being the first responsibility of Governments,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further the various articles of the Charter setting out the respective powers and functions of the General Assembly, the Security Council and the Economic and Social Council, as the paramount framework for the achievement of the purposes of the United Nations,

Reaffirming the commitment of all States to fulfil their obligations under other important instruments of international law, in particular those of international human rights and humanitarian law,

Taking into account that, in accordance with Article 103 of the Charter, in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail,

1. *Affirms* the solemn commitment of all States to enhance international cooperation in the field of human rights and in the solution to international problems of a humanitarian character in full compliance with the Charter of the United Nations, inter alia, by the strict observance of all the purposes and principles set forth in Articles 1 and 2 thereof;

2. *Stresses* the vital role of the work of United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter, in promoting and encouraging respect for human rights and fundamental freedoms, as well as in solving international problems of a humanitarian character, and affirms that all States in these activities must fully comply with the principles set forth in Article 2 of the Charter, in particular respecting the sovereign equality of all States and refraining from the threat or use of force against the territorial integrity or political independence of any State, or acting in any other manner inconsistent with the purposes of the United Nations;

3. *Reaffirms* that the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion;

4. *Calls upon* all States to cooperate fully, through constructive dialogue, in order to ensure the promotion and protection of all human rights for all and in promoting peaceful solutions to international problems of a humanitarian character and, in their actions towards that purpose, to comply strictly with the principles and norms of international law, inter alia, by fully respecting international human rights and humanitarian law;

5. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, organs, bodies and other components of the United Nations system, and intergovernmental and non-governmental organizations and to disseminate it on the widest possible basis;

6. *Decides* to consider this question at its fifty-sixth session under the item entitled "Human rights questions".

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Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/55/602/Add.2 and Corr.1)*]

55/102. Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing in particular the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2]

Recalling also the International Covenant on Civil and Political Rights[3] and the International Covenant on Economic, Social and Cultural Rights,[3]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[4] and the outcome documents of the twenty-third[5] and twenty-fourth[6] special sessions of the General Assembly, held, respectively, in New York from 5 to 10 June 2000 and Geneva from 26 June to 1 July 2000,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, including in the field of human rights,

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[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See resolution 2200 A (XXI), annex.
[4] See resolution 55/2.
[5] Resolutions S-23/2 and S-23/3.
[6] Resolution S-24/2.

Realizing also that globalization is not merely an economic process but also has social, political, environmental, cultural and legal dimensions which have an impact on the full enjoyment of all human rights,

Recognizing that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

Deeply concerned that the widening gap between the developed and the developing countries, and within countries, has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

3. *Reaffirms also* the commitment to create an environment at both the national and global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

4. *Recognizes* that, while globalization offers great opportunities, its benefits are very unevenly shared and its costs are unevenly distributed, an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

5. *Recognizes also* that, only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

6. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

7. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

8. *Underlines* therefore the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

9. *Takes note* of the preliminary report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights,[7] and requests the Secretary-General, taking into account the different views of Member States, to submit a comprehensive report on this subject to the General Assembly at its fifty-sixth session.

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[7] A/55/342.